

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
JULY 22, 2002

D040466 In re Samantha S., a Juvenile

The notice of appeal filed July 15, 2002 in superior court case number SJ10821 is dismissed as untimely.

D040259 In re Bowman on Habeas Corpus

The petition is denied.

D039533 Jinatongthai v. Tri-City Medical Center et al.

Order affirmed. Jinatongthai to bear respondents' costs on appeal. Haller, J.;
We Concur: Benke, Acting P.J., McDonald, J.

D038428 In re Alen F., a Juvenile

Affirmed. Kremer, P.J.; We Concur: Benke, J., O'Rourke, J.

D039167 People v. Cunningham

Affirmed. Benke, J.; We Concur: Kremer, P.J., McDonald, J.

D037532 Williams v. Prestige Stations, Inc.

Upon written requests filed by the parties, the appeal is dismissed.

**D040463 Escondido Union School District v. Superior Court of San Diego County/
Bennett et al.**

The petition is denied.

**D040088 Pacific Bell Telephone Company v. Superior Court of San Diego County/The Utility
Consumers' Action Network**

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
JULY 23, 2002

D040361 A.B.H. Investments, Inc., et al. v. Narven Enterprises, Inc., et al.
Pursuant to California Rules of Court, rule 8, the appeal filed June 14, 2002, is dismissed.

D037340 People v. MCGrieff, Jr.

The judgment is reversed as to the conviction for resisting an executive officer. The trial court is to conduct an in camera hearing on appellant's discovery motion consistent with this opinion. If the in camera hearing reveals no discoverable information that would lead to admissible evidence helpful to appellant's defense, the trial court shall reinstate the original judgment and sentence. If the hearing reveals discoverable information that could lead to admissible evidence helpful to appellant in defense of the charge, the trial court shall grant the requested discovery and order a new trial. In all other respects the judgment is affirmed. Benke, J.; We Concur: Kremer, P.J., McDonald, J.

**D040389 Ohio Casualty Insurance Company v. Superior Court of San Diego
County/Nationwide Mutual Insurance Company**
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
JULY 24, 2002

D039636 People v. Washam

Judgment affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Benke, J.

D035486 McMeans et al. v. Scripps Health

In accordance with this court's orders of June 11, 2001 and July 24, 2002, this appeal is stayed as to MLR under title 11 United States Code section 362 and MLR's appeal is severed from that of Scripps. The court's grant of summary judgment in favor of Scripps is reversed. The court's denial of Class members' motion for summary adjudication of Scripps's defense of privilege under section 47, subdivision (b)(2) is affirmed. The court's denial of Class members' motion for summary adjudication of their eighth cause of action for declaratory relief is reversed as to class representative McMeans, but affirmed as to class representatives Shaul and Denny. Class members and Scripps to bear their own costs on appeal. CERTIFIED FOR PUBLICATION. O'Rourke, J.; We Concur: Benke, Acting P.J., McDonald, J.

D040283 In re Cardenas on Habeas Corpus.

The petition is denied as incomplete.

D040483 Zora et al. v. Superior Court of San Diego County/M & H Realty Partner IV L.P.

The petition is denied.

D040332 Gregory H. v Superior Court of San Diego County/San Diego County Health and Human Services Agency

The Notice of Intent to file a writ petition is not signed by the petitioner, nor is there a declaration by counsel showing good cause for waiver of the requirement. This proceeding is therefore dismissed.

D040284 In re Estevez on Habeas Corpus

The petition is denied.

D040192 In re Capell on Habeas Corpus

The petition is denied.

D040082 In re Vanessa H., a minor

Upon filing an abandonment, the appeal is dismissed.

D040321 Sherry H. et al. v. Superior Court of the County of San Diego/San Diego County Health and Human Services Agency

The attorney for petitioner Sherry H. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D040236 Joshua C. et al. v. Superior Court of the County of San Diego/San Diego County Health and Human Services Agency

The attorney for petitioner Adeena C. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case as to Adeena C. is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
JULY 24, 2002 (Continued)

D040485 People v. Romero, Jr.
The appeal is dismissed as premature.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
JULY 25, 2002

D037561 People v. Gordon

The portion of the judgment convicting Gordon of count 3 is reversed. The portion of the judgment convicting Gordon of the remaining three counts is affirmed. The matter is remanded for resentencing. Nares, Acting P.J.; We Concur: Haller, J., McDonald, J.

D036980 Rancho Viejo, LLC. v. Tres Amigos Viejos, LLC.

The judgment is affirmed. CERTIFIED FOR PUBLICATION. O'Rourke, J.; We Concur: McIntyre, Acting P.J., McConnell, J.

D040364 Barros et al., v. Superior Court of San Diego County/Perkins & Miltner et al.

The petition is denied. The exhibits filed under seal shall remain sealed.

D040358 Oscar C. v. Superior Court of San Diego/San Diego County Health and Human Services Agency

The attorney for petitioner Oscar C. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D039211 Williams et al. v. Franchise Tax Board

The petition is denied.

D037875 People v. Shaw

The trial court is directed to prepare an amended abstract of judgment to reflect the dismissal of the "prison prior" enhancement, and to forward a copy of the amended abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed. McConnell, J. We Concur: Nares, Acting P.J., O'Rourke, J.

D038138 Lindseth v. Huffman et al.

The opinion filed June 26, 2002 is modified. There is no change in judgment. The petition for rehearing is denied.

D040276 Churcher v. Superior Court of San Diego County/North Beach Acquisitions, LLC et al.

The petition is denied.

D040470 Hubka v. Superior Court of San Diego County/People

The petition is denied.

D040089 County of San Diego v. Superior Court of San Diego County/Anthony

The petition is denied.

D040069 Blake N. v. Superior Court of San Diego County/People

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
JULY 25, 2002 (Continued)

D040238 In re Byrd on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
JULY 26, 2002

D040519 Aimco v. Jones

The petition is denied without prejudice to refiling in the appellate division of superior court.